

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

United States of America,)	CR. NO. 3:12-559 (CMC)
)	
v.)	OPINION and ORDER
)	
Charles Tarron Carter,)	
)	
Defendant.)	
_____)	

This matter is before the court on Defendant's motion to correct sentence under 28 U.S.C. § 2255, arguing that in light of the Supreme Court's holding in *Johnson v. United States*, __ U.S. __, 135 S.Ct. 2551 (2015), Defendant is no longer an armed career criminal and should be resentenced. ECF Nos. 99, 106, 107. In the supplement to Defendant's original *pro se* § 2255 motion, the Federal Public Defender noted that he had consulted with the Government, who agreed that Defendant is no longer an armed career criminal and should be resentenced. See ECF No. 107.

The court **grants** the motion for relief under 28 U.S.C. § 2255. The Judgment Order as to Charles Tarron Carter in CR 3:12-559 filed June 3, 2014, is hereby **vacated**, and this matter is set for resentencing on **Wednesday, August 10, 2016 at 3:00 p.m.**

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
Senior United States District Judge

Columbia, South Carolina
July 12, 2016